

# United States Court of Appeals For the First Circuit

No. 16-6001

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UNITED STATES OF AMERICA,

Appellee,

v.

DZHOKHAR A. TSARNAEV,

Defendant, Appellant.

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## JUDGMENT

Entered: July 31, 2020

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: Dzhokhar Tsarnaev's convictions on Counts 13, 15, and 18 are reversed, and the district court is directed to enter a judgment of acquittal on those counts. Dzhokhar Tsarnaev's death sentences on Counts 4, 5, 9, 10, and 14 are vacated, and the matter is remanded to the district court with directions to hold a new penalty-phase trial consistent with the opinion issued this day and with Local Rule 40.1(k)(1) of the District of Massachusetts.

Because the remaining convictions are affirmed, and Dzhokhar Tsarnaev has not challenged the many life sentences imposed on those remaining counts, Dzhokhar Tsarnaev will remain confined to prison for the rest of his life, with the only remaining question being whether the government will end his life by executing him.

By the Court:

Maria R. Hamilton, Clerk

cc:

Hon. George A. O'Toole

Robert Farrell, Clerk, United States District Court for the District of Massachusetts

Dzhokhar A. Tsarnaev

Judy Clarke

Gail K. Johnson  
Deirdre von Dornum  
Daniel Habib  
David Patton  
Clifford Gardner  
Mia Alyssa Eisner-Grynberg  
Donald Campbell Lockhart  
Joseph Francis Palmer  
Nadine Pellegrini  
William A. Glaser  
Steven D. Mellin  
Matthew R Segal  
Jonathan M. Albano  
Emma D. Hall  
John Remington Graham  
David A. Ruhnke  
Michael J. Iacopino  
Benjamin Silverman  
Megan Wall-Wolff  
George H. Kendall III  
Timothy P. O'Toole